

FILED
ASHEVILLE, NC

JUN 04 2024

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

U.S. DISTRICT COURT
W. DISTRICT OF N.C.

UNITED STATES OF AMERICA

v.

JAMES ALAN LUNSFORD

DOCKET NO. 1:24CR *41-MR-WCM*
Filed Under Seal

BILL OF INDICTMENT

Violations:

18 U.S.C. § 922(a)(1)(A)
18 U.S.C. § 922(a)(5)
18 U.S.C. § 924(a)(1)(A)
18 U.S.C. § 922(a)(6)

THE GRAND JURY CHARGES:

COUNT ONE

From in or about April 2021, to on or about February 8, 2024, in Haywood County, within the Western District of North Carolina and elsewhere, the defendant,

JAMES ALAN LUNSFORD

not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms and ammunition.

In violation of Title 18, United States Code, Section 922(a)(1)(A).

COUNT TWO

On or about November 7, 2023, in Haywood County, within the Western District of North Carolina, the defendant,

JAMES ALAN LUNSFORD

knowingly made a false statement and representation to Smoky Mountain Shooters Supply, a federally licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the record of Smoky Mountain Shooters Supply, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, in which he represented that he was the actual buyer of the firearm listed on the form, whereas in truth and in fact, he was acquiring the firearm on behalf of another individual.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE

On or about November 7, 2023, in Haywood County, within the Western District of North Carolina, the defendant,

JAMES ALAN LUNSFORD

in connection with the acquisition of firearms, those being, a Taurus, model G2c, 9mm pistol, and a Taurus, model G3c, 9mm pistol, from Smoky Mountain Shooters Supply, a federally licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Smoky Mountain Shooters Supply, which statement was intended and likely to deceive Smoky Mountain Shooters Supply, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under Chapter 44, Title 18, United States Code, in that the defendant represented that he was the actual buyer of the firearm, a statement he knew to be false.

In violation of Title 18, United States Code, Section 922(a)(6).

COUNT FOUR

On or about November 17, 2023, in Haywood County, within the Western District of North Carolina, the defendant,

JAMES ALAN LUNSFORD

knowingly made a false statement and representation to Smoky Mountain Shooters Supply, a federally licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the record of Smoky Mountain Shooters Supply, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, in which he represented that he was the actual buyer of the firearm listed on the form, whereas in truth and in fact, he was acquiring the firearm on behalf of another individual.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT FIVE

On or about November 17, 2023, in Haywood County, within the Western District of North Carolina, the defendant,

JAMES ALAN LUNSFORD

in connection with the acquisition of firearms, those being, a Taurus, model G3c, 9mm pistol, a Taurus, model Judge, .45/.410 revolver, and an American Tactical, Milsport model, .22 caliber rifle, from Smoky Mountain Shooters Supply, a federally licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Smoky Mountain Shooters Supply, which statement was intended and likely to deceive Smoky Mountain Shooters Supply, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under Chapter 44, Title 18, United States Code, in that the defendant represented that he was the actual buyer of the firearm, a statement he knew to be false.

In violation of Title 18, United States Code, Section 922(a)(6).

COUNT SIX

On or about February 1, 2024, in Haywood County, within the Western District of North Carolina and elsewhere, the defendant,

JAMES ALAN LUNSFORD

not being a licensed dealer of firearms, within the meaning of Chapter 44, Title 18, United States Code, did willfully sell and deliver a firearm, that is one (1) Ruger, model GP100, .357 caliber revolver, to another, said purchaser not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, and knowing and with reasonable cause to believe that said purchaser was not then residing in the State of North Carolina, the state in which the defendant was residing at the time of the aforesaid sale of the firearm.

In violation of Title 18, United States Code, Section 922(a)(5).

NOTICE OF FORFEITURE

Pursuant to Federal Rule of Criminal Procedure 32.2, notice is hereby given of 18 U.S.C. § 924, and 28 U.S.C. § 2461(c). The following property is subject to forfeiture in accordance with Section 924 and/or Section 2461(c): all firearms or ammunition involved or in the violations set forth in this Bill of Indictment.

The Grand Jury finds probable cause to believe that the following property is subject to forfeiture on one or more of the grounds stated above:

1. Two (2) Taurus, model G3c, 9mm pistols;
2. Taurus, model G2c, 9mm pistol;
3. SCCY Industries, model CPX-1, 9mm pistol;
4. Two (2) Taurus, model Judge, .45/.410 revolvers;
5. American Tactical, Milsport model, multi-caliber AR-style rifle;
6. Glock, model 19 Gen5, 9mm pistol;
7. Glock, model 30 Gen4, .45 caliber pistol;
8. KelTec, model P17, .22 caliber pistol;
9. Canik, model METE Mc9, 9mm pistol;
10. Ruger, model GP100, .357 magnum revolver;
11. North American Arms, model NAA-22, .22 caliber revolver;
12. Diamondback Arms, Inc., model DB9, 9mm caliber pistol;
13. Beretta, model 92, 9mm pistol;
14. Two (2) Smith and Wesson, model 422, .22 caliber pistols;
15. Bersa S.A., model BP9CC, 9mm pistol;
16. SCCY Industries, model CPX-2, 9mm pistol;
17. Ruger, model P95, 9mm caliber pistol;
18. Glock, model 30S, .45 caliber pistol;

19. Chiappa, model M6, 12/.22 shotgun/rifle;
20. Four (4) Berika Arms, model SS12, 12-gauge shotguns;
21. Berika Arms, model SS410, .410-gauge shotgun;
22. Girsan, model MC28SA; unknown caliber pistol;
23. Jimenez Arms, model J.A. Nine, 9mm pistol;
24. Mossberg, model 702 Plinkster; .22 caliber rifle;
25. Enfield, model #4 Long Branch 1944, 303 caliber rifle;
26. Marlin Glenfield, model 60, .22 caliber rifle;
27. New England Firearms, model Pardner SB1, .410-gauge shotgun;
28. UTAS-UTA, model Hatfield, 12-gauge shotgun;
29. Mossberg, model 500 ATP, 12-gauge pistol grip shotgun;
30. Mossberg, model 500, 12-gauge bird's head grip shotgun;
31. Stevens, model 350, 12-gauge shotgun;
32. Three (3) Ruger, model 10/22, .22 caliber rifles;
33. Marlin Glenfield, model 81, .22 caliber rifle;
34. Benelli, model Nova Pump-Action, 12-gauge shotgun;
35. Hawk Industries Co, model H&R Pardner 1871, 12-gauge shotgun;
36. Taurus, model 85, .38 caliber revolver;
37. Savage, model 63K, .22 caliber rifle;
38. Rossi (Zastava), model MP22, .22 caliber rifle;
39. Remington, model 510 Targetmaster, .22 caliber rifle;
40. Savage, model 93, .22 caliber rifle;
41. Taurus, model PT22, .22 caliber pistol;
42. Omega, model 100, .22 caliber pistol;
43. Savage, model Axis, .308 caliber rifle;
44. F.I.E., model Western Duo, .22 caliber revolver;

- 45. Mossberg, model 590, 12-gauge shotgun;
- 46. KelTec, model KSG, 12-gauge shotgun;
- 47. Radikal, model NK-1, 12-gauge shotgun;
- 48. Arminius By H. Weihrauth, model ISARM, 44 caliber revolver;
- 49. Smith and Wesson, model 19-5, .357 magnum revolver;
- 50. FMJ, model D, .45/.410 derringer;
- 51. Ruger, model Single-Six, .22 caliber revolver;
- 52. Heritage, model Rough Rider, .22 caliber revolver;
- 53. Twenty-three (23) rounds of .22 caliber ammunition;
- 54. Six (6) rounds of 9mm ammunition;
- 55. Two (2) rounds of .17 caliber ammunition; and
- 56. Approximately twenty (20) rounds of .357 caliber ammunition.

A TRUE BILL:

GRAND JURY FOREPERSON

DENA J. KING
UNITED STATES ATTORNEY



ANNABELLE CHAMBERS
SPECIAL ASSISTANT UNITED STATES ATTORNEY